



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Metcalfe

Application No.: 10/821,041

Filed: 4/8/2004

Title: Method and Apparatus for Controlling Pests

Attorney Docket No.: 50180

Art Unit:

3643

Examiner:

Ark, Darren W.

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUBMISSION UNDER § 1.114

Response to the Action mailed 5/5/05

Dear Sir:

In response to the Office Action of May 5, 2005, made final, and the accompanying Request for Continued Exam, please amend this application as follows:

In the claims:

Please amend the claims as per the attached claim sheet.

Applicant has amended claims 3, 5, 22, 25 and 26 to change "claims" to "claim" as requested by the Examiner.

Applicant has amended independent method claim 1 to recite trapping "hardshell" insects. The adjective "hardshell" comports with knowledge asserted by Mr. Metcalfe in the U.K. litigation. (Mr. Metcalfe stated that he consulted with Mr. Abbott before telephoning Professor Howse to confirm his [Metcalfe's] opinion that magnetic powders had a good chance of working because it was a known fact that hardshell insects generate a magnetic field.)